

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY FOSTER,
Plaintiff,

v.

SCHINDLER ELEVATOR
CORPORATION,
Defendant.

Case No. [3:19-cv-05776-WHO](#)

**ORDER REMANDING CASE TO
ALAMEDA COUNTY SUPERIOR
COURT**

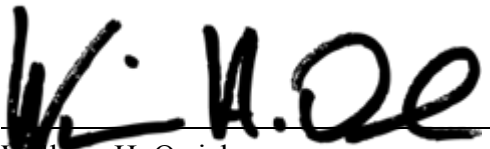
Re: Dkt. No. 16

Defendant Schindler Elevator Corporation removed this case to federal court on September 13, 2019 and filed a motion to dismiss on September 20. Dkt. Nos. 1, 7. Plaintiff Jeffrey Foster then filed a first amended complaint accompanied by a motion to remand the case back to state court. Dkt. Nos. 15, 16. The first amended complaint now includes only a state law wage statement claim and derivative penalties claim. On October 18, 2019 Schindler gave notice that it does not oppose the motion to remand. Dkt. No. 19.

Given the parties' agreement that state court is the appropriate place to resolve their dispute, the motion to remand is GRANTED. This case is REMANDED to the Superior Court for the State of California, County of Alameda. The November 13, 2019 hearing on the motion is VACATED.

IT IS SO ORDERED.

Dated: 10/31/2019


William H. Orrick
United States District Judge